(4)

CF/07

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 2539/2003

PETITIONER : Babul Roy, S/O Jagdish Chandra Roy, aged about 38 years, R/O Hemu Nagar, Ward No 38, Bilaspur (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through Secretary General Administration Department, D.K.S. Bhawan Raipur (C.G.)

2. Collector, Bilaspur Dist-Bilaspur (C.G.)

W.P. No. 2539/03
Presented by Shri Shri Manoj Shastri
dated 11.06.03

PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA.

XI-HC-22

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 539/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29-8-2003

Smt. Meena Shastri, counsel for the petitioner.

Heard.

The petitioner's petition is that he was appointed in the Census Department as compiler on contract for specified duration. The work of the petitioner was satisfactory and he worked as compiler from 8-8-91 to 31-5-92. The petitioner has been retrenched by the authority.

The Govt. of Madhya Pradesh issued a circular from time to time to the effect that all the employees of the Census Department whose services have been terminated on account of the expiry of the term, they will be treated as surplus employees and they will be given priority in the matter of appointment on the similar posts. Copy of the circular is Annexure-P/6.

The respondent No.1 has issued a letter dated 19-2-2001 stating that the employees of Census Department will be counted as surplus employees in Chhattisgarh State also and there will be no need of separate direction. Copy of the same is Annexure-P/7.

The petitioner has made several representations before the competent authority reiterating all the above contents but it has no effect. Copy of the last representation is Annexure-P/10. It is, therefore, requested that the respondent No.1 be directed to

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(39)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

absorb the petitioner in any vacant appropriate available post or to workout a scheme to absorb the petitioner in appropriate employment.

Having heard the learned counsel for the petitioner and having regard to the facts and circumstances of the case and also having regard to the judgment of the Apex Court in the matter of **Govt. of Tamil Nadu and another Vs. G. Mohamed Ameenuddin & Others** reported in **AIR 1999 SUPREME COURT 2202**, the Government of Chhattisgarh may also consider for absorbing the services of employees who had worked under the Census Department in the light of the direction given by the Hon'ble Apex Court and the petitioner is at liberty to approach the Government for absorption and on his moving the Government of Chhattisgarh, the Department of General Administration may consider~~ation~~ his representation appropriately.

In view of this order, M.(W.)P. No. 2325/2003 and I.A. No. 7681/2003 stand disposed of.

The writ petition is disposed of accordingly.

Sd/-
L.C. Bhadoo
Judge

Barve

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11/8/04

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